

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

**JERRY MORGAN and
EMMA MORGAN,**

Plaintiffs,

vs.

**STANLEY SHAW and
GORDON BROWN,**

Defendants.

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Case No. 3:07-cv-276

**Formerly Chambers County
Circuit Court Case No: CV-06-224**

REPORT OF PARTIES PLANNING MEETING

1. Pursuant to Fed.R.Civ.P. 26(f), a meeting was held on April 18, 2007 via telephone and was attended by:

- a. Joseph M. Tucker, Attorney for Jerry Morgan and Emma Morgan; and
- b. Christopher J. Hughes, Attorney for Stanley Shaw

2. **Pre-Discovery Disclosures.** The parties will exchange the information required by Rule 26(a)(1) by May 11, 2007.

3. **Discovery Plan.** The parties jointly propose to the Court the following discovery plan:

- a. Discovery will be sought on the following subjects; all allegations in the Complaint and all defenses pled in Shaw's Answer.
- b. All discovery will be commenced in time to be completed by December 15, 2007 with the exception of the deposition of Defendant's retained experts under paragraph (e) below.
- c. Maximum of 35 Interrogatories allowed by each part to each other party. Maximum of 25 requests for Admissions allowed by each party to each other party. Responses are due thirty (30) days from the date of the requests.

- d. Maximum of eight (8) depositions by each party and limited to a maximum of four (4) hours for non-parties and eight (8) hours for parties; these limitations can be extended by the court on motion of any party for good cause shown or by agreement of the parties.
 - e. Reports from retained experts under Rule 26(a)(2) due:
 - i. From the Plaintiffs by October 15, 2007; Plaintiff's experts to be available for deposition by October 30, 2007.
 - ii. From Defendant by November 15, 2007; and Defendant's experts to be available for deposition by December 1, 2007.
 - f. Supplementation under Rule 26(e) as provided by the Federal Rules of Civil Procedure shall take place as soon as possible and in no event later than December 15, 2007.
4. **Other Items.**
- a. A scheduling conference will be set by the Court, if it so chooses.
 - b. The parties request the Court set the deadline for amending pleadings as August 1, 2007.
 - c. All potentially dispositive motions should be filed by January 10, 2008.
 - d. Settlement is being evaluated.
 - e. The parties request a final pretrial conference in the week of April 10, 2008.
 - f. Final lists of trial evidence, witness lists and deposition designations under Rule 26(a)(3) shall be filed and served on or before November 15, 2007. The parties will be allowed until December 15, 2007 to complete depositions of any previously undisclosed witnesses whose identity is disclosed pursuant to this paragraph. The parties shall have 14 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a) Federal Rules of Civil Procedure.
 - g. The parties request the Court set the case for trial in its May, 2008 jury term. Trial is currently expected to take approximately three days.

Respectfully submitted this 19th day of April, 2007.

/s/ Joseph M. Tucker
Attorney for Plaintiffs
P.O. Box 90
LaFayette, Alabama 36862

/s/ Christopher J. Hughes
Attorney for Stanley Shaw
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